

## **Public Notice**

FILE NUMBER: MVM 2018-041

NOTICE DATE: February 15, 2023

Attn: Postmaster, Please Post Until EXPIRATION DATE: March 17, 2023

## **Public Notice**U.S. Army Corps of Engineers

**AUTHORITY:** The Memphis District Corps of Engineers hereby gives notice pursuant to Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act (CWA) and 33 CFR 337 published in the Federal Register April 26, 1988, of the U.S. Government's proposed deposition of dredged material in connection with maintenance dredging.

U.S. Army Corps of Engineers – Memphis District Operations Division 167 N. Main Street, RM B-202 Memphis, TN 38103-1894 Telephone (901) 544-3471

**AUTHORIZATION:** Mississippi River Channel Maintenance Dredging Project is authorized under the Flood Control Act of May 15, 1928, and amendments dated June 15, 1936, June 28, 1938, August 18, 1944, and December 22, 1994, and Section 10 of the Rivers and Harbors Act of 1899. The project provides for a suitably aligned navigation channel 12 feet deep and 300 feet wide. Present funding limits the project to a channel of 9 feet deep and 300 to 500 feet wide at various locations.

**PURPOSE:** To maintain the authorized navigation channel within the Mississippi River in the State of Tennessee as well as within the Wolf River Harbor and McKellar Lake.

**LOCATION:** The proposed project entails dredging of the Congressionally authorized navigation channel within the main channel of the Mississippi River in the State of Tennessee between approximate River Miles 715 and 905 above the Head of Passes (AHP) as well as within the Wolf River Harbor and McKellar Lake, as shown in Figures 1 through 6. Approximate Latitude and Longitude for the project are 36.453996°N and -89.486408°W.

**DESCRIPTION OF WORK:** The proposed project entails reissuance of the existing maintenance dredging authorization. Dredging is conducted on an as-needed basis to maintain the minimum project channel dimensions at any river stage. No change in scope from previous authorizations and dredging efforts is proposed.

**Mississippi River Channel Maintenance:** Mississippi River channel maintenance dredging is done using dustpan hydraulic dredges. The dustpan dredge operates by making a series of relatively narrow, adjacent parallel cuts. Material is discharged approximately 800 feet perpendicular to the direction of the cuts and in the same pattern as the dredge cuts. Material may be discharged to either side of the dredge cut and is transported from the cut area to the discharge area through a pipeline supported by pontoons.

The dustpan dredge moves approximately 13.9 million cubic yards of sandy material annually from the navigation channel. Table 1 lists by river mile and name the approximate annual quantities of material dredged in recent years. Due to the amount of bedload movement and the migration of sand bars, it is not possible to predict exact locations

where dredging and associated discharges will be required. The anticipated discharge areas have been previously covered by earlier water quality certifications.

Harbor Dredging: Harbor dredging is normally performed using a cutterhead hydraulic dredge operated by a contractor for the Memphis District. Approximately 1.2 million cubic yards of sediment is removed from the two harbors annually. Dredged sediment from McKellar Lake is pumped into a contained upland disposal field on Treasure Island. Dredged sediment from the mouth of McKellar Lake is pumped to a separate contained upland site that has been used in previous years. The Pidgeon Industrial Park Disposal Site has also been used in previous years and may be used in the future should the need arise. Effluent from the Treasure Island disposal site is returned to McKellar Lake and material from the site at the mouth of McKellar Lake is returned to McKellar Lake and the Mississippi River. Disposal areas are shown on the Disposal Site Map (Sheets 2 and 3).

Material dredged from the Wolf River Harbor is discharged into the Mississippi River downstream of the mouth of the harbor.

Crossing Name	River Mile (approximate)	Quantity Dredged (million cubic yards)
Winchester Towhead	901	0.5
Linwood Bend	840	0.5
Kate Aubrey – Island 30	789	1.0
Lower Bullerton	784	0.9
Craighead-Driver	780	2.0
Randolph Bluff	770	2.0
Deans Island	756	1.0
Redman Bar & Sycamore Chute	743	2.0
Memphis Front	738	1.5
Vice Presidents Island	732	0.5
Ensley Bar	725	1.0
Armstrong Bar	719	1.0

**AVOIDANCE AND MINIMIZATION:** The Corps of Engineers only proposes to dredge the minimum amount of material required to maintain the authorized navigation channels.

**ENDANGERED SPECIES:** Navigational dredging within the Mississippi River is conducted under the terms of a Biological Opinion for the Channel Improvement Program, Mississippi River and Tributaries Project Lower Mississippi River, dated 12 December 2013. The Corps of Engineers will coordinate with the U.S. Fish & Wildlife Service regarding any species not covered in the Biological Opinion that may occur within project limits.

**NATIONAL ENVIRONMENTAL POLICY ACT (NEPA)**. An Environmental Impact Statement (EIS) for the Mississippi Rivers and Tributaries Project was prepared pursuant to NEPA. A supplemental Environmental Assessment (EA) will be prepared at the conclusion of the comment period to update the record.

**CULTURAL RESOURCES:** In compliance with Section 106 of the National Historic Preservation Act of 1966 (NHPA), as amended, the Memphis District will identify and evaluate potential effects of the proposed action on historic properties through consultation with federal, state, and local agencies, federally-recognized Indian Tribes, the public, and other interested parties.

WATER QUALITY CERTIFICATION: The Clean Water Act (CWA) Section 401 Certification Rule (Certification Rule, 40 CFR 121), effective September 11, 2020, requires certification for any license or permit that authorizes an activity that may result in a discharge. The scope of a CWA Section 401 certification is limited to assuring that a discharge from a federally licensed or permitted activity will comply with water quality requirements. The Memphis District is preparing a request for Section 401 Water Quality Certification and an Aquatic Resource Alteration Permit to the Tennessee Department of Environment and Conservation.

**FLOODPLAIN:** In accordance with 44 CFR Part 60 (Floodplain Management and Use), participating communities are required to review all proposed development to determine if a floodplain development permit is required. Floodplain administrators should review the proposed public notice and notify this office of any floodplain development permit requirements.

**PUBLIC INTEREST REVIEW:** The purpose of this public notice is to advise all interested parties of the activities for which a permit is sought and to solicit comments and information necessary to evaluate the probable impact on the public interest. The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits which reasonably may be expected to accrue from the project must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the project will be considered, including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; federal, state, and local agencies and officials; federally recognized Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

**PUBLIC HEARING:** Any person may request, in writing, within the comment period specified in this notice that a public hearing be held to consider this application. Requests for a public hearing shall state, with particularity, the reason for holding a public hearing. The District Engineer will determine if the issues raised are substantial and whether a hearing is needed for making a decision. If a public hearing is held, it will be for the purpose of obtaining additional information that we could not otherwise obtain through a public notice process; not to inform the public about the specific details of the project in greater detail than what is found in this notice.

**COMMENTS OR REQUEST FOR ADDITIONAL INFORMATION:** Send comments to the Corps of Engineers, Memphis District. Comments must be received by the expiration date listed on page one of this notice and may be sent via mail or email to the following:

U.S. Army Corps of Engineers - Memphis District Regulatory Division ATTN: Roger Allan 167 N. Main Street, B-202 Memphis, Tennessee 38103-1894

e-mail: roger.s.allan@usace.army.mil

phone: (901) 544-3682

For Final Individual Permits actions in the Memphis District, go to the following link: <a href="http://permits.ops.usace.army.mil/orm-public">http://permits.ops.usace.army.mil/orm-public</a>. Using the Filter by District drop down box, select MVM-Memphis District, then select the year and month (information will populate in the table below). All pending individual permits can be located by selecting the "Pending IP" tab above. All of the environmental documents and statements of findings supporting issuance or denial of the permit decisions are available upon written request and where applicable, upon the payment of administrative fees. They are also available at the Memphis District, Regulatory Division office for examination.

for: Gregg W. Williams
Chief

**Regulatory Division** 

Attachments











